

AO 91 (Rev. 11/11) Criminal Complaint

United States District Court
Southern District of Texas
FILED

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

JUL 11 2016

Clerk of Court

United States of America

v.

Dennis Rafael PEREZ-Perez
Citizen of MEXICO, YOB: 1990

Case No. M-16-1304-M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 11, 2016 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

Code Section

Title 18, U.S.C. 111(a)(1)

Offense Description

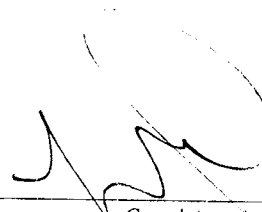
forcibly assaults, resists, opposes, impedes, intimidates, or interferes with
any person designated in section 1114 of this title while engaged in or on
account of the performance of official duties.

This criminal complaint is based on these facts:

See Attachment A

☒ Continued on the attached sheet.

Approved by Robert E. Gula



Complainant's signature

Jordan D. Gula, Special Agent, FBI

Printed name and title

Sworn to before me and signed in my presence.

Date: 07/11/2016

City and state: McAllen, Texas



Judge's signature

Dorina Ramos, United States Magistrate Judge

Printed name and title

Attachment "A"

Affidavit

I, Jordan D. Gula, being first duly sworn, state as follows:

1. The following facts and information are known by the Affiant and were provided by United States Border Patrol Agent Agents (USBPA) R.R., McAllen, Texas. BPA R.R. provided information serving as probable cause in support of a complaint for violating Title 18, U.S.C., Section 111 (a)(1), Assaulting a Federal Officer.

2. On July 11, 2016, at approximately 3:00 a.m., in accordance with their official duties as Border Patrol Agents, BPA R.R. was dispatched by the McAllen Tactical Operations Center to assist Mission Police Department on a traffic stop at Farm to Market (FM) 495 and Washington Street in Mission, Texas where it was believed several occupants of the stopped vehicle were in the United States illegally.

3. BPA R.R. arrived at the location and met with Mission Police Department Officer V.C. and Officer S.Y. who informed BPA R.R. they stopped the vehicle for suspicious activity and upon questioning of the occupants in the vehicle it was found that the driver - Edgar Faustino Monreal Garcia - was a United States citizen; however, the two passengers – Dennis Rafael PEREZ-PEREZ and Cristian Rodriguez-Bonilla - were in the United States illegally.

4. BPA R.R. placed the two passengers under arrest for suspicion of being in the United States illegally and began to search them for weapons. During the search PEREZ-PEREZ shrugged off BPA R.R.'s hands, pushed past him, and proceeded to run north across FM 495.

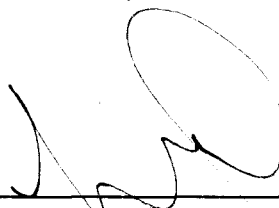
5. BPA R.R. pursued PEREZ-PEREZ across FM 495 and once on the side of the road opposite the traffic stop he caught up to PEREZ-PEREZ who began to struggle with BPA R.R. During BPA R.R.'s attempted to gain control of PEREZ-PEREZ his arm was across the upper torso near the face of PEREZ-PEREZ who proceeded to bite BPA R.R.'s left index finger. BPA R.R. was able to free his finger after engaging in several defensive strikes to PEREZ-PEREZ.

6. Once BPA R.R.'s finger was released he took PEREZ-PEREZ to the ground where he continued to attempt to bite BPA R.R.'s arm while he was attempting to restrain PEREZ-PEREZ. BPA R.R. was able to get PEREZ-PEREZ into handcuffs once he was on the ground at which time Mission Police Officer V.C. arrived to provide assistance securing PEREZ-PEREZ.

7. BPA R.R. sustained bruising underneath the fingernail and bruising to the tip of his left index finger as a result of the bite by PEREZ-PEREZ which caused significant discomfort as he is left-handed. PEREZ-PEREZ did not report any injuries.

8. Subsequent to the apprehension of PEREZ-PEREZ, it was determined that he is a citizen of MEXICO and was illegally present in the United States.

10. Based on the aforementioned factual information, your Affiant respectively submits that PEREZ-PEREZ committed violations of Title 18, United States Code, Section 111 (a)(1), Assaulting a Federal Officer.



Jordan D. Gula
Special Agent
Federal Bureau of Investigation